

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE MIDDLE DISTRICT OF TENNESSEE
3 NASHVILLE DIVISION

4 JOHN DOE, et al.,)
5 Plaintiff,)
6 vs.) Case No. 3:09-cv-1099
7 CHEATHAM COUNTY BOARD OF) Judge Echols
8 EDUCATION, et al.) Magistrate Judge Griffin
9 Defendants.)

9 MOTION TO CONTINUE INITIAL CASE MANAGEMENT CONFERENCE

10 Comes now the undersigned counsel and moves to continue the initial case
11 management conference to January 14, 2010 at 10:00 a.m.

12 In support of this motion the undersigned counsel would state that he begins a trial
13 on December 28, 2009 in the matter of *Wheat v. Benton County, Tennessee*, No. 1:08-cv-
14 1171-JDB pending in the Western District of Tennessee. The trial in that matter is expected
15 to last three days.

16 The undersigned counsel has consulted with Plaintiffs' counsel and they are
17 available on January 14, 2010 at 10:00 a.m. a date and time available on the Court's
18 calendar. Wherefore, the undersigned counsel moves to continue the initial case
19 management conference.

Respectfully submitted,

/s/ John D. Schwalb
JOHN D. SCHWALB, BPR No. 011671
john_schwalb@msn.com
WILLIAMS & SCHWALB, PLLC
Suite 207
108 Fourth Avenue South
(615) 794-7100
(615) 794-6333 Facsimile

Attorney for Defendants

CERTIFICATE OF SERVICE

I certify that a true and exact copy of the foregoing has been served in accordance with the Federal Rules of Civil Procedure and/or the ECF Guidelines for the Middle District of Tennessee upon:

George Barrett, Esq.
gbarrett@barrettjohnston.com
Douglas S. Johnston, Esq.
djohnston@barrettjohnston.com
BARRETT, JOHNSTON & PARSLEY
217 Second Avenue, North
Nashville, Tennessee 37201

Tricia Herzfeld
tricia@aclu-tn.org
ACLU Foundation of Tennessee
P. O. Box 120160
Nashville, Tennessee 37212

Attorneys for Plaintiffs

on this 21st day of December 2009.

/s/ John D. Schwalb